

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. 2:18-cv-06742-RGK-PJW

Date December 9, 2019

Title *In the Matter of Seizure of: Any and all funds held in Republic Bank of Arizona Accounts*

Present: The Honorable R. GARY KLAUSNER, UNITED STATES DISTRICT JUDGE

Sharon L. Williams

Not Reported

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: (IN CHAMBERS) Order Re: United States' Motion for Reconsideration [DE 118] of James Larkin's Application for Permission to File the Declaration of Paul J. Cambria and Exhibits Under Seal [DE 60]

On October 22, 2018, Claimant James Larkin ("Larkin") filed an Application (ECF No. 60) to this Court to file the Declaration of Paul J. Cambria ("Declaration") and Exhibits 1-18 thereto (ECF No. 61) submitted in support of Claimants' Motion for an Order to Access and Use Purportedly Inadvertently Produced Materials (ECF No. 69) under seal. Mr. Larkin brought this motion on the grounds that Exhibits 3 and 4 to the Declaration were internal memoranda from the U.S. Attorney's Office for the Western District of Washington over which the government had asserted attorney work product protection, and the remaining exhibits were communications regarding the government's production of those documents, claims of inadvertent disclosure, and assertions of privilege.

On October 4, 2019, the Court denied Larkin's application to seal pursuant to Local Rule 79-5.2.2(b) because the government had designated the documents for sealing but did not timely file a declaration establishing the need to seal them.

On October 23, 2019, the government filed a Motion for Reconsideration and accompanying Declaration of John Kucera (ECF No. 118) requesting that the documents in question be sealed on the ground that the memoranda are privileged attorney work product.

The Court concurs with the Arizona District Court's sealed ruling in the related criminal matter *United States v. Lacey* that the memoranda are protected work product, and finds that the government has shown good cause why the memoranda and related communications should be filed under seal. *See United States v. Michael Lacey, et al.*, CR-18-422-PHX (D. Ariz.).

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The Court therefore **GRANTS** the government's motion for reconsideration, and **GRANTS** Larkin's Application to Seal the Declaration of Paul J. Cambria and Exhibits 1-18 thereto.

IT IS SO ORDERED.

Initials of Preparer

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